

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
Eastern Division (Akron)**

<b>UNITED STATES OF AMERICA</b> , <i>ex rel.</i>	)	
	)	
<b>KEVIN MANIERI</b> , Relator,	)	CIVIL NO. 5:15-cv-611
Plaintiffs,	)	
	)	JUDGE SARA LIOI
v.	)	
	)	
<b>AVANIR PHARMACEUTICALS, INC.</b> ,	)	
	)	
Defendant.	)	

**PLAINTIFF- RELATOR’S STATUS REPORT**

Pursuant to this Court’s Order, Plaintiff-Relator Kevin Manieri hereby provides the Court with a report regarding the status of this matter:

1. The United States’ False Claims Act claims arising under 31 U.S.C. § 3729 *et seq.* against Defendant Avanir are dismissed pursuant to a settlement. (Doc. 28). There are no remaining pending False Claims Act *qui tam* or other claims by the United States or by the Relator on behalf of the United States.
2. Defendant Deepak Raheeja was dismissed by Court Order in all aspects. (Doc. 24).
3. Defendant Avanir and Plaintiff Manieri this week resolved certain claims arising under 31 U.S.C. § 3729 *et seq.* Plaintiff will file a partial dismissal of those claims with prejudice next week.
4. Avanir Counsel, Matthew Dunn of Covington & Burling in Washington, D.C., has agreed to accept service of the Complaint under Rule 4’s waiver of service provisions. Plaintiff

Manieri will promptly proceed, following filing of the partial dismissal noted above, to serve the Complaint.

5. Remaining to be addressed are:

- a. Plaintiff Kevin Manieri's False Claims Act whistleblower employment retaliation claim under 31 USC § 3730(h) and other related claims he may pursue, including for attorneys' fees, costs, and expenses related to prosecution of his employment claims. Plaintiff Manieri made an initial settlement demand to Defendant Avanir in May 2019, in an effort to resolve his whistleblower retaliation claim. While Defendant Avanir has acknowledged that it has not responded, it has made no counter offer.
- b. The setting of a Case Management Conference, case deadlines, and a trial date.

Respectfully submitted,

s/Ann Lugbill

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**Attorneys for Plaintiff-Relator Kevin Manieri**

**CERTIFICATE OF SERVICE**

I hereby certify that on November 1, 2019, a true and correct copy of the foregoing was filed and served upon the following as set forth below.

\_\_\_\_\_  
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**Courtesy Copy to Counsel for Defendant Avanir:**

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